



International Centre
for Dispute Resolution



4TH ANUAL PROGRAM:

DEBATES

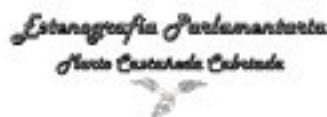
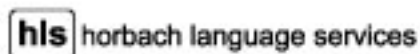
ON ISSUES RELATING TO ARBITRATION

Organizing Committee: Steve Andersen, Brent Caslin, Karine Faure Wenger, Cecilia Flores Rueda and John Garman.

Sponsors:



KIRKLAND & ELLIS LLP



PROGRAM

Thursday, May 25, 2006

- | | |
|---------------|--|
| 8:30 - 9:00 | Registration.
Girasoles Room, Camino Real Hotel. |
| 9:00 - 9:30 | Keynote speech "CANACO-ICDR: Friendship, History and Opportunities" by William K. Slate. |
| 9:30 - 10:15 | Debate I: "Forum selection. Choosing between mediation, arbitration, and litigation clauses."
Moderator: Xanath Owens.
Panelists: Manuel García Barragán, Thomas Heather and Javier Rubistein. |
| 10:15 - 11:00 | Debate II: "Ad hoc and institutional arbitration. Choosing the administrative institution."
Moderator: Steven K. Andersen.
Panelists: Eduardo Siqueiros Twomey and Jack Coe. |
| 11:00 - 11:15 | Break. |
| 11:15 - 12:00 | Debate III: "Distinguishing the arbitration practice approaches between an in-house corporate attorney and a law firm attorney."
Moderator: Jesús Sánchez Ugarte.
Panelists: Emilio González de Castilla del Valle, Félix Todd Piñero y Nancy Muñoz. |
| 12:00 - 12:45 | Debate IV: "Arbitration tools: preliminary hearings, terms of reference and the UNCITRAL Notes on Organizing Arbitral Proceedings."
Moderator: Cecilia Flores Rueda.
Panelists: José María Abascal Zamora, José Antonio Rodríguez Márquez and David Haigh. |
| 12:45 - 13:00 | Break. |
| 13:00 - 13:45 | Debate V: "The Code of Ethics of the American Arbitration Association / American Bar Association and the Guidelines on Conflicts of Interest in International Arbitration of the International Bar Association. Other international practices."
Moderator: Matthew Vafidis.
Panelists: Claus von Wobeser Hoepfner, Ignacio Gómez Palacio and Ben Sheppard. |

13:45 – 15:15	<p>Lunch. Veracruz Room, Camino Real Hotel.</p> <p>Conference: “Judicial Power and Arbitration” Keynote speaker: Julio César Vázquez Mellado.</p>
15:15 – 16:00	<p>Debate VI: “Limits, methods, definitions and customary practices in matters of discovery and information exchange.” Moderator: Cedric Chao. Panelists: Luis Enrique Graham Tapia and Mark Dosker.</p>
16:00 – 16:15	<p>Break.</p>
16:15 – 17:00	<p>Debate VII: “Differences in arbitration under common and civil law.” Moderator: John Garman. Panelists: Romualdo Segovia Serrano and Chris Colbridge.</p>
17:00 – 17:45	<p>Debate VIII: “Challenging, recognizing and enforcing arbitral awards. The New York and Panama Conventions.” Moderator: Jack Fitzmaurice. Panelists: Roberto Martínez Guerrero and John Bowman.</p>
17:45 – 19:00	<p>Reception for the workshop participants and for members of the ICDR Young and International. Oaxaca Room, Camino Real Hotel.</p>

SURVEY FOR PARTICIPANTS

The organizing institutions will distribute a survey to the participants, before and after the event, to determine in which way the debates changed their perception about arbitration. To answer the survey please visit the website www.arbitrajecanaco.com.mx

PANELISTS

JOSÉ MARÍA ABASCAL. Attorney, counsel, and arbitrator in domestic and international commercial law. Professor Emeritus at the Universidad Iberoamericana. From October 1986 to July 2003, was Commissioner at the Compensation Commission of the Security Council of the United Nations on Panel E2. He was Prime Vice President of the Barra Mexicana, Colegio de Abogados. He is Director of the Mediation and Arbitration Commission of the Mediation and Arbitration Center of the Mexico City National Chamber of Commerce (CANACO). President of the Arbitration Working Group of the United Nations Commission on International Trade Law (UNCITRAL). Serves as arbitrator, counsel, and expert in arbitrations per the rules of CANACO, the International Chamber of Commerce (ICC), the International Center for Dispute Resolution (ICDR), UNICTRAL, and various other arbitration institutions throughout Latin American countries, as well as ad hoc arbitration. He is member of the Directors Council of the American Arbitration Association (AAA), of the Executive Committee of AAA, of the International Consultant Committee of AAA, of the London Court of International Arbitration (LCIA), and of the Latin American Arbitration Committee of the ICC.

STEVEN K. ANDERSEN. Vice President of the ICDR. He has over 10 years of experience in developing the services of AAA and ICDR. He is responsible for the international services of AAA in Mexico, Canada and the United States. He is the author of various publications, the principal one being *“NAFTA, Mediation and the North American Free Trade Agreement”*.

JOHN BOWMAN. Is one of the partners in charge of the international arbitration area at the law firm of Fulbright & Jaworski, where he represents energy and petrochemical companies in domestic and international disputes. Member of the Commercial Arbitrators Council (Fellow), CIArb (Fellow), LCIA, AAA, ICDR and Arbitrators Panel for the Institute for Dispute Resolution (CPR), for dispute resolution in matters of petroleum and gas. Founding Member of the Latin American Group of Arbitration of the ICC. His recent works include: *“The Panama Convention and Its Implementation under the Federal Arbitration Act”* (Kluwer Law Int’l 2002) and *“Dispute Resolution Planning for the Oil and Gas Industry”*, 16 ICSID Rev. – F.I.L.J. 332-407 (2001). He graduated from the University of Kansas School of Law.

CEDRIC CHAO. Is a partner with Morrison & Foerster in San Francisco, where he chairs the international litigation and arbitration practice. His practice focuses on commercial litigation, international arbitration, and complex criminal matters. Received his B.A. degree in Economics (with distinction and with departmental honors) from Stanford University in 1972 and his J.D. degree from Harvard Law School in 1977. He served as a law clerk to the Honorable William H. Orrick, United States District Court for the Northern District of California from 1977-1978, and worked as a federal prosecutor from 1978-1981. Has led litigation teams in significant international and domestic commercial arbitration proceedings under the rules of the AAA (both domestic and international arbitrations), ICC, LCIA, and UNCITRAL. He is listed on the panels of approved international commercial arbitrators maintained by CIETAC and the Singapore International Arbitration Centre. San Francisco Magazine, in its fall 2004 issue, included Mr. Chao on its list of *“Northern California Superlawyers.”* *California Law Business*, in its 1994 survey, named Mr. Chao as one of *“California’s Top 25 Lawyers Under Age 45.”* Mr. Chao is listed in *Who’s Who in America*, in *Who’s Who in the West*, and in *Who’s Who in American Law*.

JACK COE JR. Teaches International Commercial Dispute Resolution courses at the Straus Institute of Pepperdine Law School and is widely published on international arbitration and related process design topics. He is Co-Chair of the ABA's Committee on International Commercial Dispute Resolution (Section of International Law and Practice) and Chair of the Academic Council of the Institute for Transnational Arbitration. He has argued before investor-state tribunals and has been a party-appointed expert in arbitration on questions of international law. Coe holds a J.D., an LL.M, a PhD, and the Diploma of the Hague Academy.

CHRIS COLBRIDGE. Is a partner in the London office of Kirkland & Ellis LLP, where he leads the international litigation and arbitration group. Has represented multinational corporations, governments and government-owned entities in international arbitration and litigation cases around the world. He has particular experience conducting white collar criminal investigations. Has been cited as a leading international arbitration lawyer in *Chambers Global - The World's Leading Lawyers 2004*; *Chambers UK 2005* and *Legal 500*. He holds law degrees from King's College, University of London, and Université de Paris 1 (Panthéon-Sorbonne) Licence et Maîtrise en droit privé.

MARK DOSKER. Is partner at Squire, Sanders & Dempsey LLP, an international law firm with more than 800 attorneys, in 31 offices around the world. In 1984, he graduated from Harvard Law School. For more than 20 years, he has specialized in international arbitration and complex litigation, including matters relating to “*class actions*” and “*class arbitrations*”. He has been in charge of important cases in Latin America, Asia, Europe and the United States. He is considered to be one of the worldwide experts in commercial arbitration according to *Euromoney 2004*. He is a member of the International Arbitrations Panel of the ICDR.

JACK F. FITZMAURICE. Is Juris Doctor and arbitrator in national, international and commercial law. Adjunct professor at the Universidad Iberoamericana Northwest campus. In 1966 graduated with a BS from Villanova University. In 1974 graduated from Notre Dame University School of Law and was admitted to the Bar of the State of California. Currently, is senior partner at the law firm of Fitzmaurice & Demergian in San Diego, California. Has more than 25 years experience in the practice of law and more than 10 years as arbitrator and mediator. Focus has been upon the litigation and trial of complex business disputes, contracts, bankruptcy and real estate. Member of the United States Bankruptcy Court Mediation Panel and the AAA International Panel. Has written several articles, among others, “*La Resolución de Conflictos Comerciales a Nivel Internacional*” published by Revista Jurídica de Baja California, on October, 1996 and “*Summary Remarks on the Practical Aspects of Arbitration*”, published by the Academia de Derecho Internacional Privado Comparado magazine on April, 2003. Has participated as a presenter at various seminars being the most recent, “*Aspectos Prácticos del Arbitraje Internacional*” at the 2002 Academia de Derecho Internacional Privado Comparado National Seminar.

CECILIA FLORES RUEDA. Is Secretary General of the Mediation and Arbitration Center of CANACO. As independent attorney, she participates in several domestic and international arbitrations, relating to construction, international sales transactions, insurance and joint ventures. Mexican Delegate before the Arbitration Working Group of UNCITRAL. She acts as Mexico's correspondent for the web page KluwerArbitration.com. She received her law degree at the Universidad Panamericana, where she also completed post-graduate studies.

MANUEL GARCÍA BARRAGÁN MARTÍNEZ. Lawyer graduated from the Faculty of Law of the Universidad Nacional Autónoma de México (UNAM), with a Masters Degree in Comparative Jurisprudence from the Southern Methodist University. Partner at García Barragán y Villela Abogados, S.C. Professor of Obligations and Contracts at the Faculty of Law of the UNAM. Speaker in the International Contracts Module of the Postgraduate course in International Business of the Escuela Libre de Derecho. Its professional practice is centered mainly in the areas of corporative and financial law, national and international contracts, foreign investments and general commercial law, as well as economic law. Arbitrator of CANACO, of the International Court of Arbitration of the ICC and of the Mexican Arbitration Center.

JOHN GARMAN. His background and experience is in the areas of international commercial transactions and alternate dispute resolution. He is an arbitrator/neutral and has conducted educational programs in Europe and identified issues concerning ADR and the international practice of law. He is an Adjunct Professor of Law at University of Southern California Law School and Loyola Law School, Los Angeles, teaching International Commercial Arbitration. Is a member of the International Chamber of Commerce, Austria as well as a member of the Chartered Institute of Arbitrators, Europe and a member of the United States Council for International Business. He is an advisor to the Executive committee of the International Law section of the California bar. Is an attorney admitted in California, the District of Columbia and is also a Solicitor of the Supreme Court of England and Wales. Has recently been appointed to the IBA Task Force to study and evaluate the current text of the UNCITRAL Model Law on International Commercial Conciliation. He is "Of Counsel" to Hasch & Partners, an Austrian law firm and Mr. Garman has an office in Vienna and also Manhattan Beach.

IGNACIO GÓMEZ-PALACIO. J.D. (UNAM), LLM (University of Michigan). Practitioner and academic. Has published several books and articles in the field of foreign investment, international investment law and alternative dispute resolutions. Served for a decade as Senior Consultant for the UN Center on Transnational Corporation (currently UNCTAD). Professor of International Commercial Arbitration, International Business Transactions, Comparative and Latin American Law at universities in Mexico, USA, China and others. Former President of the Instituto Mexicano para la Justicia (2001 - 2004). Since 1991 of-counsel to Jauregui, Navarrete y Nader (correspondent in Mexico of Mayer, Brown, Rowe & Maw). Arbitrator (commercial and ICSID Investor-State arbitration). Outside counsel to Mexico's Ministry of Foreign Relations. Last book: *Derecho de los Negocios Internacionales*, Editorial Porrúa, 2006.

EMILIO GONZÁLEZ DE CASTILLA DEL VALLE. Attorney at law, graduated from the Escuela Libre de Derecho. He obtained a masters degree from Harvard Law School. He teaches obligations at the Escuela Libre de Derecho. From 2003-2005 he was the President of the Barra Mexicana, Colegio de Abogados.

LUIS ENRIQUE GRAHAM TAPIA. Is partner of Thacher Proffitt & Wood, where he heads the litigation and commercial arbitration area in Latin America. He has wide experience in complex civil and commercial litigation, as well as in alternative dispute resolution procedures, including domestic and international arbitration before the ICC, the ICDR, the LCIA, investment disputes ICSID/NAFTA and other tribunals. Has extensively published on commercial arbitration, and commercial, corporate and procedural law. In 1999, he received the first award from the Interamerican Federation of Lawyers for

the best legal book of the year “Arbitraje Comercial”. Is member of the Mexican Bar, in which he serves as member of the Board of Directors and is elected Chair for 2007-2008. He also directed the Commercial Law Commission of the Bar from 1998 to 2001. Is member of the Mediation and Arbitration Commission of CANACO, Mexican Delegate before the Arbitration Working Group of UNCITRAL, and member of the Committee Council for Private Commercial Disputes under the NAFTA.

DAVID R. HAIGH, Q.C. Is a senior partner with the Calgary law firm of Burnet Duckworth & Palmer LLP, where he has practiced as a commercial litigation counsel in the Canadian courts and as an arbitrator in the field of international commercial arbitration. He has served on numerous international commercial arbitration panels and, in addition, acted as counsel on a wide variety of arbitration claims, including ad hoc, institutional, private and investor-state disputes.

THOMAS HEATHER RODRÍGUEZ. Is a partner of the law firm of White & Case, in Mexico City, where his responsibilities include project finance, securities, banking and acquisitions. As well as serving as legal advisor to the financial services coordinator for the Mexican Businessmen Council in regard to the NAFTA negotiations. Has served as an arbitrator for the International Court of Arbitration of the ICC in Paris. Holds a law degree from the Escuela Libre de Derecho and a L.L.M. from the University of Texas at Austin. In addition, he has completed postgraduate work in business administration and foreign investment law at the National University of Mexico and the Universidad Panamericana. Is autor of a considerable number of publications and articles dealing with legal and financial topics. He is a member of the board of directors of Scotiabank Inverlat, and actually is acting as an insolvency administrator of Satmex, the Mexican satellite system. From 1980 to 2005 was partner at Ritch, Heather y Mueller, S.C.

MARIO ROBERTO MARTÍNEZ GUERRERO. Founding partner of the law firm Martínez, Algaba, Estrella, de Haro y Galván-Duque, S.C. His professional practice focuses on civil and commercial law, mostly in litigation and consulting. He has participated as counsel in many international cases. Member of the Mediation and Arbitration Commission of CANACO. Mexican Delegate before the Arbitration Working Group of UNCITRAL. Doctor honoris causa. Counsel, with 5 other Mexican attorneys, on the “*Transnational Insolvency Project, Principles of Cooperation in Transnational Insolvency Cases Among the Members of the North American Free Trade Agreement*” under the auspices of the American Law Institute. International Consultant for México, with 4 other Mexican attorneys on the “*ALI/UNIDROIT Principles and Rules of Transnational Civil Procedure*”, under the auspices of the American Law Institute.

NANCY MUÑOZ JIMÉNEZ. She graduated with honors from the Universidad Nacional Autónoma de México (UNAM). She has post-graduate studies in international trade from the Universidad Panamericana and has diplomas on corporate law, contracts and franchises. Is former Legal Director of Multipak and currently is Legal Corporate Manager of Henkel, a German company with presence in more than 120 countries.

XANATH OWENS. Is a partner in the Los Angeles office of Kirkland & Ellis LLP. Her practice comprises a broad range of complex litigation and arbitration matters, including commercial contracts, trade secrets, copyright infringement, and other business-related litigation. She has represented clients in numerous commercial disputes in state and federal courts as well as before international arbitration panels. Ms. Owens is a native Spanish speaker born in Puebla, Mexico and a member of Kirkland & Ellis' Diversity Committee.

JOSÉ ANTONIO RODRÍGUEZ MÁRQUEZ. Law Degree, with honors, from the UNAM, (1978) In Tax Law (1986) and Amparo Suit (1988) at Universidad Panamericana. Diploma in Commercial International Arbitration at Escuela Libre de Derecho (1994), "Chartered Arbitrator" of the Chartered Institute of Arbitrators. Panelist among others of: AAA, CAMECIC and CANACO. Immediate Past-Chair of the Executive Committee of the North American Branch of The Chartered Institute of Arbitrators. International Mediator of the International Centre for Dispute Resolution of the AAA.

JAVIER H. RUBINSTEIN. Is a partner in Mayer Brown, Rowe & Maw LLP's international arbitration and litigation group, and the Practice Leader for the firm's Litigation Group in the Chicago Office. He is also a Lecturer at the University of Chicago Law School, where he teaches International Commercial Arbitration. A native of Argentina with complete fluency in Spanish, Mr. Rubinstein is a cum laude graduate of the Georgetown University Law Center, and also received a Master of Public Policy Degree from the J.F.K. School of Government at Harvard University. He represents clients in a wide variety of arbitrations before the world's leading arbitral institutions, including the ICDR, the ICC, ICSID, and the Court of Arbitration for Sport. Mr. Rubinstein's practice has concentrated principally on disputes arising in Latin America, North America and Europe. He also regularly publishes on the subject of international arbitration, including, most recently, *International Commercial Arbitration: Reflections at the Crossroads of the Common Law and Civil Law Traditions*, 5 Chi J Intl L 303 (2004).

JESÚS SÁNCHEZ UGARTE. Founding partner of Kuri Breña, Sánchez Ugarte, Corcuera y Aznar, where he advises on general corporate law, mergers and acquisitions, international trade and commercial arbitration. He obtained his law degree from the Escuela Libre de Derecho in Mexico City and an LLM with a specialization in corporate and international trade law from Columbia University, in New York. Member of the Consultant Committee of the Mediation and Arbitration Commission of CANACO. Member of the Board of Directors and Mediator of the Instituto Mexicano de la Mediación, A.C.

BEN SHEPPARD, JR. Is Distinguished Lecturer and Director of the A.A. White Dispute Resolution Center at the University of Houston Law Center. He is a retired partner of Vinson & Elkins, L.L.P. in Houston, where he practiced from 1969-2005 and was Co-chair of the Firm's worldwide international dispute resolution practice. A member of the ICDR International Panel, he also serves on the ICDR International Advisory Committee and is chair of the sub-committee on the development of a pre-arbitral emergency arbitrator procedure. He is Co-chair of the International Dispute Resolution Committee of the American Bar Association Section of International Law and was the author of the Report and Recommendation to the House of Delegates of the ABA in Support of the 2004 Revision to the AAA/ABA Code of Ethics for Arbitrators in Commercial Disputes.

EDUARDO SIQUEIROS TWOMEY. Is partner of the law firm Barrera, Siqueiros y Torres Landa, where he focuses on the areas of international commercial law and transactions. He obtained his law degree in the Escuela Libre de Derecho and a masters degree in Harvard University in Cambridge, Massachusetts. He has served as sole arbitrator and as member of the arbitral tribunal, in proceedings administrated by CANACO, ICC, ICDR and in disputes under Chapter XI of the NAFTA and ICSID Rules.

WILLIAM K. SLATE II. President and CEO, AAA, ICDR, since 1994. Visiting professor, Seton Hall University School of Law. Served as an executive of both the Third and Fourth Federal Circuits, overseeing judicial operations in eight states and the Virgin Islands. Elected in 2005 to ICCA (International Council for Commercial Arbitration) - a 38-member council of specialists in the field from 29 countries. Published author of 60 articles on law and business. J.D., University of Richmond; MBA, Wharton School of Business, University of Pennsylvania.

MATTHEW VAFIDIS. Is a litigation partner with the San Francisco office of Holland & Knight LLP, a United States law firm with over 1,300 lawyers in offices throughout the U.S. and in certain international locations, including Mexico City. A fully qualified English barrister, Mr. Vafidis has practiced as a commercial and admiralty litigation in the U.S. for over 25 years, and, as an advocate, is a specialist in all forms of federal and state litigation, international and U.S. arbitration, and mediation. Is also an experienced arbitrator, and, for the past 15 years, has served regularly as a court-appointed mediator and dispute resolution specialist in both state and federal cases.

JULIO CÉSAR VÁZQUEZ MELLADO. Graduated from the UNAM. Presiding Magistrate of the 7th Collegiate Court in Civil Matters in the First Circuit. Founder and Prime Secretary of the Colegio de Secretarios de Estudio y Cuenta de la Suprema Corte de Justicia de la Nación, A.C. From 1999 to 2004, he served as Director of the Instituto de la Judicatura Federal-Escuela Judicial. For 43 years he has been University Professor in institutions such as the Universidad Iberoamericana and the Universidad Intercontinental, among others.

CLAUS VON WOBESER HOEPFNER. Is administrative partner at Von Wobeser y Sierra, S.C. Obtained his law degree from the Escuela Libre de Derecho and a Doctor of Law degree from the University of Paris. From 2001 to 2002 was President of the Barra Mexicana, Colegio de Abogados. He is President of the Arbitration Commission of CAMECIC. Member of the Directive Council of the AAA. President of the Arbitration Committee of the IBA. His areas of specialization include commercial law, international law and international arbitration.

GENERAL INFORMATION

Venue:	Camino Real Hotel Mariano Escobedo No. 700, Col. Nueva Anzures, Ciudad de México Phone: (52-55) 5263-8888
Fees:	Bar, CANACO and ANADE members mx\$2,550.00 pesos (IVA included) General public mx\$2,850.00 pesos (IVA included) The parking cost at the Camino Real Hotel, with stamped ticket, will be of mx\$100.00 pesos, for all day.
Housing:	A limited number of rooms have been reserved at the Camino Real Hotel and the program participants will be able to benefit from the special rate of usd\$130 (plus taxes) when mentioning that they will attend the “CANACO Program”. Reservations must be made directly with the hotel, before May 10, 2006, by calling reservations: (52-55) 5263-8888. Web site: www.caminoreal.com/mexico Housing costs are not included on the registration fee for the program.
Simultaneous translation:	Simultaneous translation services into English and Spanish will be available.
Supporting materials:	Materials and participation diplomas will be handled.
Information:	Centro de Mediación y Arbitraje CANACO www.arbitrajecanaco.com.mx Phone: (52 55) 5592 2665 or (52 55) 5592 2677, ext. 1304.

REGISTRATION FORM

Please fill out this format and send it by e-mail (crflores@ccmexico.com.mx) or fax (52-55 5703-2862).

Name: _____
(As you wish to appear in the participation diploma)

Law firm: _____

Address: _____

Phone numbers: _____

E-mail: _____

Method of payment

Wire transfer:

Holder: Cámara Nacional de Comercio de la Ciudad de México

Bank account number: 4087130

Bank: Banamex. Branch: 0221 Colón

CLABE: 002180022140871309

ABA: B N M X M X M M

Please attach copy of the wire transfer.

Credit card:

Master Card _____ Visa _____ American Express _____

Card number: _____

Expiration date: _____

Name of the card holder as appears on the card: _____



Av. Paseo de la Reforma No. 42
Col. Centro 06048, México, D.F.

<p>REGISTRO POSTAL PROPAGANDA COMERCIAL PC-09-0189 AUTORIZADO POR SEPOMEX</p>
